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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,898	10/01/1999	ARILD O. GAUTESTAD	10250-0001-2	6015
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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			PAULA, CESAR B	
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ALEXANDRIA, VA 22314			PAPER NUMBER	

2178

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Please find below and/or attached an Office communication concerning this application or proceeding.

fm

Office Action Summary

Application No.

09/409,898

Applicant(s)

GAUTESTAD, ARILD O.

Examiner

CESAR B PAULA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) ☐ Of the above claim(s) is/are withdrawn from consideration.
- 5) ☐ Claim(s) is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) is/are objected to.
- 8) ☐ Claim(s) are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. .
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u> </u> |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u> </u> | 6) <input type="checkbox"/> Other: <u> </u> |

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DETAILED ACTION

1. This action is responsive to the RCE, and preliminary amendment filed on 1/26, and 2/4/2004.

This action is made Non-Final.

2. In the preliminary amendment, claims 1-27 are pending in the case. Claims 1, 14, and 21 are independent claims.

3. The rejections of claims 1-12, 14, and 16-27 under 35 U.S.C. 103(a) as being unpatentable over King et al, hereinafter King (Pat.# 5,956,737, 9/21/1999), in view of Freivald et al, hereinafter Freivald (Pat.# 5,898,836, 4/27/1999) have been withdrawn as necessitated by the amendment.

4. The rejections of claims 13, and 15 under 35 U.S.C. 103(a) as being unpatentable over King view of Freivald have been withdrawn as necessitated by the amendment.

Drawings

5. The drawings filed on 7/9/2003 have been accepted by the Examiner.

Claim Rejections - 35 USC § 112

6. Appropriate correction has been made to claim 15, therefore its 35 USC § 112 rejection has been withdrawn.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-12, 14, and 16-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al, hereinafter King (Pat.# 5,956,737, 9/21/1999), in view of Raju et al, hereinafter Raju (Pat.# 6,067,541, 5/23/2000, filed on 9/17/1997, as previously disclosed on paper 9).

Regarding independent claim 1, King discloses the input, creation, and storage in a computer of a document with a *first item description*—"Rod products" description—, a *first item category*—"Bass Products" 162--*first item identifier*—"Rod Products" 200. This document – 192--contains a list of descriptions, including a portion of Rod products description-- *first item description*, and a hypertext link reference to a more detailed web page of the Rods description. This document is created before a user accesses the document listing the items--192 (c.10,L.23-67, c.18,L.57-c.19,L.16, fig. 12-14). King fails to explicitly teach *generating a log file containing at least one entry defining a modification to at least one of the first item description*

electronic document and the first category list electronic document; updating the log file to include the at least one entry at a time when the at least one modification defined by the entry is made to at least one of the first item description electronic document and the first category list electronic document; and deciding whether to transfer at least one of the first item description electronic document and the first category list electronic document based on whether the log file contains the at least one entry defining the modification for a corresponding electronic document. Raju teaches the creation of a “USN Log file” for listing updates made to a document, a timestamp corresponding to the time the update occurred, and a type of the update. Once it is determined by looking at the log, that the document(s) has changed or is updated, the document is indexed, that is sent or transferred to an index, using saving techniques such as shadow copying (col.5, lines 28-67, col.6, lines 33-67, and col.10, lines 14-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of HTML document generation taught by King, and the document content change detection as taught by Raju, because this would provide the benefit of having a faster, efficient, and robust indexing process as taught by Raju (col. 12, lines 23-67).

Regarding claim 2, which depends on claim 1, King discloses the input, creation, and storage in a computer of a document with a “Rod products” textual description in a certain location within the document, such as top part of the document— *item description content field first item category*. This document is created before a user accesses the document listing the items--192 (c.10,L.23-67, c.18,L.57-c.19,L.16, fig. 12-14). King fails to explicitly teach *storing the first item description electronic document in the first digital storage area in the first*

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computer using a first file name corresponding to the first item category. Raju teaches the creation of a “USN Log file” for listing updates made to a document, a timestamp corresponding to the time the update occurred, and a type of the update. Once it is determined by looking at the log, that the document(s) has changed or is updated, the document is indexed, that is placed in an index, using saving techniques such as shadow copying. The document has a filename, such as “patent.doc”; the name of the document correspond to the entire document, and in this case the name correspond to entire document taught by King, or every part of the document-- *a first file name corresponding to the first item* “Rod products” category (col.5, lines 28-67, col.6, lines 33-67, and col.10; lines 14-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of HTML document generation taught by King, and the document content change detection as taught by Raju, because this would provide the benefit of having a faster, efficient, and robust indexing process as taught by Raju (col. 12, lines 23-67).

Claim 3 is directed towards a method for substantially implementing the steps found in claim 1, except for the markup language formatted document, which is taught by King (col.1, lines 48-67), and therefore are similarly rejected.

Regarding claim 4, which depends on claim 1, King discloses the input, creation, and storage in a computer of a document with a *second item description*—“Net products” description—, *a second item category*—“Bass Products” 162--, *second item identifier*—“Net Products” 202. This document contains a list of a portion of Net products description, and a

hypertext link reference to a more detailed web page of the Net description -- (c.10,L.23-67, c.18,L.57-c.19,L.16, fig. 12-14).

Regarding claim 5, which depends on claim 1, King discloses the storage in a computer of a document containing formatted text with a *first item description*—"Rod products" description—, a *first item category*—"Bass Products" 162--, *first item identifier*—"Rod Products" 200. This document is converted from a single page document into a three pages an HTML document—*second digital storage area*. (c.10,L.23-67, c.18,L.57-c.19,L.16, fig. 12-14). King fails to explicitly disclose: *updating the log file to include a reference to the first text formatted electronic document*. Raju teaches the creation of a "USN Log file" for listing updates-- *a reference to the first text formatted electronic document*-- made to a document, a timestamp corresponding to the time the update occurred, and a type of the update. Once it is determined by looking at the log, that the document(s) has changed or is updated, the document is indexed, that is placed in an index (col.5, lines 28-67, col.6, lines 33-67, and col.10, lines 14-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of HTML document generation taught by King, and the document content change detection as taught by Raju, because this would provide the benefit of having a faster, efficient, and robust indexing process as taught by Raju (col. 12, lines 23-67).

Regarding claim 6, which depends on claim 1, King discloses the storage of the document describing the products in a server side database -- (c.8,L.16-67).

Regarding claim 7, which depends on claim 1, King discloses the creation of the HTML document using a template-- (c.10,L.23-67, c.18,L.57-c.19,L.16).

Regarding claim 8, which depends on claim 1, King discloses a product web page with a reference to the home page—*first category list electronic document* (c.10,L.23-67, c.18,L.57-c.19,L.16, fig. 12A-C).

Regarding claim 9, which depends on claim 1, King discloses a product web page with a reference to the home page—*first category list electronic document*—according to the template (c.10,L.23-67, c.18,L.57-c.19,L.16, fig. 12A-C).

Regarding claim 10, which depends on claim 1, King discloses the display, and search of a document—194-- containing category information—“Bass Products”— corresponding to the list included in a table of contents—*category list electronic document*—according to the template (c.10,L.23-67, c.18,L.57-c.19,L.16, fig. 12A-C). King fails to explicitly disclose: *using the log file to determine whether to retrieve the first item description electronic document and to determine whether the first item description electronic document includes the first item category....the log file includes a reference to at least one electronic document which has been updated in the first computer*. Raju teaches the creation of a “USN Log file” for listing updates made to a document, a timestamp corresponding to the time the update occurred, and a type of the update. Once it is determined by looking at the log, that the document(s) has changed or is updated, the document is indexed, that is placed in an index. The changed documents are

searched and retrieved by a user using a search engine-- *determine whether the first item description electronic document includes the first item category* (col. 1, lines 16-37, col. 5, lines 28-67, col. 6, lines 33-67, and col. 10, lines 14-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of HTML document generation taught by King, and the document content change detection as taught by Raju, because this would provide the benefit of having a faster, efficient, and robust indexing process as taught by Raju (col. 12, lines 23-67).

Regarding claim 11, which depends on claim 1, King discloses a computer application in a first computer for publishing HTML documents on Internet servers by transferring the documents to these Internet servers (c. 6, L. 50-67, c. 8, L. 19-67, c. 51, L. 7-67, fig. 12A-C).

Claim 12 is directed towards a method for implementing the steps found in claim 11, and therefore is similarly rejected.

Claims 14, and 16-20 are directed towards a system for implementing the steps found in claims 11, 1, and 4-7 respectively, and therefore are similarly rejected.

Claims 21-27 are directed towards a computer program product for storing, and implementing the steps found in claims 1-7 respectively, and therefore are similarly rejected.

9. Claims 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over King, in view of Raju.

Regarding claim 13, which depends on claim 12, King discloses a computer application in a first computer for publishing HTML documents on Internet servers by transferring the documents to these Internet servers (c.6,L.50-67, c.8,L.19-67, c.51,L.7-67, fig. 12A-C). King, and Raju fail to explicitly disclose: *an Internet service provider computer*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have included the document in a second computer in an Internet service provider--ISP, because King teaches above the publishing of web page documents on the Internet from a local computer, so as to publish the web pages on the Internet on a ISP, which enables users across the Internet to access such web pages.

Regarding claim 15, which depends on claim 14, King discloses the creation of a document with a field containing product description, being stored in the computer (c.6,L.50-67, c.8,L.19-67, c.51,L.7-67, fig. 12A-C). King, and Raju fail to explicitly disclose: *store the first item description electronic document in the first digital storage area in the first computer using a first file name corresponding to the first item category*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have stored the document with a file name corresponding to the category, because King teaches above the publishing of web page documents, and to label the document corresponding to the category document list.

Response to Arguments

10. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection. The applicant indicates that Freivald does not teach or suggest the updating of an entry at a time when at least one modification was made to the first item document (page 14, line 20-page 15, line 8). The applicant is directed to the rejections of these limitations, in light of the new rejections based upon the newly added amendment.

In addition, applicant indicates that Freivald's checksum CRC is not equivalent to a log file containing at least one entry defining a modification for a document (page 15, lines 9-15). The applicant is directed to the rejections of this limitation above, in light of the new rejections based upon the newly added amendment.

Applicant further indicates that Freivald does not teach or suggest the transferring of at least one first item electronic document and a first category list electronic document to a second computer based on whether the log file contains the entry defining the modification made to the electronic document (page 15, lines 16-23). In light of the newly introduced amendment, applicant is directed to the rejection of this limitation above, in light of the new rejections based upon the newly added amendment.

Applicant further remarks that King does not remedy the deficiencies found in Freivald (page 16, lines 1-6). Applicant is directed to the rejections included above, in light of the new rejections based upon the newly added amendment.

Moreover, according to applicant's statement, there is no prima facie case of obviousness teaching the updating of the log file defining a modification at a time when the modification was made to the document (page 16, lines 8-18). In light of this new amendment to the claims, applicant is directed to the rejection of this limitation above, in light of the new rejections based upon the newly added amendment.

Claims 1, 14, and 21 and their respective dependent claims are rejected at least based on the rationale set forth above.

Conclusion

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Man-Hak Tso (Pat. # 5,706,509), and Gounares et al. (Pat. # 6,681,370).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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Any response to this Action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).



CESAR B PAULA
Patent Examiner
Art Unit 2178

4/14/04